U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
L & R Oil Recovery - Removal Polrep

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IV

Subject: **POLREP #10**
Progress - Action Memo Ceiling Increase
L & R Oil Recovery
C466
Shelby, NC
Latitude: 35.2995780 Longitude: -81.5287140

To: James Webster, USEPA R4 ERRPB
James Bateson, NCDEQ

From: Kevin Eichinger, Federal On-Scene Coordinator (FOSC)
Date: 8/7/2019
Reporting Period: August 6, 2019 through August 7, 2019

1. Introduction

1.1 Background

Site Number:	C466	**Contract Number:**	
D.O. Number:		**Action Memo Date:**	9/21/2018
Response Authority:	CERCLA	**Response Type:**	Emergency
Response Lead:	EPA	**Incident Category:**	Removal Action
NPL Status:	Non NPL	**Operable Unit:**	
Mobilization Date:	9/14/2018	**Start Date:**	9/14/2018
Demob Date:		**Completion Date:**	
CERCLIS ID:	NCR000169185	**RCRIS ID:**	
ERNS No.:		**State Notification:**	
FPN#:		**Reimbursable Account #:**	

1.1.1 Incident Category

Comprehensive Environmental Response, Compensation and Liability Act Active Facility.

1.1.2 Site Description and Location

The L&R Oil Recovery Site (the Site) is a 1.14-acre facility which originally operated as an oil trans-load business. The address of the facility is 501 Ruth Street, Shelby, Cleveland County, North Carolina. The geographical coordinates are 35.29957, -81.5287140. It is currently operated as an used oil and used oil filter recovery center. The Site consists of a 6,500 square foot single-story building and a two-bay covered loading rack. This main building is dilapidated. The roof is not intact, and a section of the concrete floor is missing. The used oil is stored onsite in tankers and then transported to a used oil recycling facility. The oil filters are drained into containers inside the building and then stored for disposal in a covered roll-off dumpster. Multiple intermediate bulk containers (IBC) and 55-gallon drums are also stored inside and outside the building. There are seven 20,000-gallon underground storage tanks (UST) on the property. The Potentially Responsible Party (PRP) reports that two of the USTs contain an unknown amount of diesel fuel and water. There is one 6,500-gallon tanker that is used as an above-ground storage tank (AST). One oil recovery truck is stored in the loading rack. The Site is located directly adjacent to a residential community. The Site is fenced; however, there is evidence of trespassing and vandalism.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

On September 14, 2018, the North Carolina Department of Environmental Quality (NCDEQ), the City of Shelby and Cleveland County officials responded to an emergency request reporting an approximately 3,000-gallon spill of oil. A 6,500-gallon tanker, used to store used oil, discharged its contents into the building via a connected hose placed through a window. The oil-filled the entire building and ran out into the property and onto Ruth Street. The Site experienced rain from the Hurricane Florence outer rain bands. A nearby storm drain and several sections of the sanitary sewer system were impacted by the spill. The storm drains lead to Hickory Creek which is a tributary of the Broad River. One residential property was impacted by the spill. Two samples of oil, spilled from the 6,500-gallon tanker, were obtained and sent offsite for analytical testing. The analytical results indicated that the spilled oil contained Polychlorinated Biphenyls (PCBs) (Aroclor 1242) at concentrations of 20.9 ppm and 18.3 ppm. The Site is not located in a Hurricane Florence natural disaster declared county.

During the week of September 18, 2018, additional 55-gallon drums, intermediate bulk containers (IBC) and an additional leaking tanker containing hazardous substances were discovered on site. Samples were collected and sent to a laboratory for analysis.

The tanker held approximately 6,750 gallons of used oil and was contaminated with the following hazardous substances:

1. PCB (Aroclor 1242) - 38,000 ppm
2. PCB (Aroclor 1254) - 4,100 ppm
3. PCB (Aroclor 1260) - 2,000 ppm

4. Ethylbenzene - 34 ppm
5. Xylenes - 181 ppm
6. Tetrachloroethane - 61 ppm
7. Toluene - 100 ppm
8. Lead - 7 ppm

There were 48 IBCs and 57 55-gallon drums that were unsecured. Samples results indicated that these containers were contaminated with the following hazardous substances in varying concentrations:

1. Benzene
2. Cyclohexane
3. Ethylbenzene
4. Xylenes
5. Methylcyclohexane
6. Toluene
7. Lead
8. 2-Methylnaphthalene
9. Naphthalene
10. Isopropylbenzene
11. Tetrachloroethene

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

On September 14, 2018, NCDEQ, the City of Shelby and Cleveland County officials responded to an emergency request reporting a discharge of oil. The EPA, using a contract provision (Notice-To-Proceed), contracted with a local response contractor through a Basic Ordering Agreement. The response contractor was mobilized on 9/14/2018 for the initial site stabilization. Federal On-Scene Coordinator (FOSC) Englert coordinated the initial stabilization efforts from the Regional Emergency Operations Center (REOC). FOSC Eichinger responded and assumed the Site on September 18, 2018. The EPA Superfund Technical Assessment and Response Training (START) contractors and Emergency Rapid Removal Services (ERRS) contractors were mobilized to support the FOSC and conduct additional cleanup operations.

2.1.2 Response Actions to Date

On August 6, an Action Memo Ceiling Increase of $250,000 was approved by the Superfund and Emergency Management Division Deputy Division Director. The increase was due to unanticipated hazardous waste disposal costs.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

The PRP stated that he did not have the funds available to respond to the spill or perform any required cleanup activities. The NCDEQ requested the EPA's assistance. FOSC Eichinger will work with EPA's Enforcement Team to identify PRPs. The PRP information is found in the Enforcement Addendum attachment to the Emergency Response Action Memo.

2.1.4 Progress Metrics

Waste Stream	***Medium***	***Quantity***	***Manifest #***	***Treatment***	***Disposal***
Oil Contaminated Debris (<50 ppm PCB)	Solid	305 tons	LRNH01, LRNH02, LRHN03, LRNH04, LRNH05,CD01, CD02, CD03, CD04, CD05, CD06, CD07, CD08, CD09, CD19, CD11, CD12	N/A	Landfill
Non-Friable Asbestos Containing Building Material	Solid	12 tons	ACM01, ACM02	N/A	Landfill
Oil/Water Mixture (<50 ppm PCB)	Liquid	3575 gallons	019875327JJK	N/A	Incineration
Hazardous Waste Solids (Lead, Benzene)	Solid	300 pounds	019875327JJK	N/A	Incineration
PCB Containing Solid Waste (>50 ppm)	Solid	800 lbs	019875327JJK	N/A	TSCA PCB Incineration
PCB Containing Oil (>50 ppm)	Liquid	7,425 gallons	019756009JJK, 019756008JJK	N/A	TSCA PCB Incineration
PCB Contaminated Oil (<50 ppm)	Liquid	2250 gallons	019875354JJK	N/A	Incineration
Hazardous Waste in Drums and Totes	Liquid	2,230 gallons	019877209JJK	N/A	Incineration
Waste Oil Contaminated Debris	Solid	1,200 pounds	612151	N/A	Landfill

Hazardous Waste for UST01, UST02 and UST03	Liquid	14,594 gallons	019875326JJK - 4,259 gallons from UST03 TBD - 10,335 gallons from UST01, UST02, UST03	TBD	Incineration
Non-Hazardous Waste Oil Contaminated Water from UST01, UST02 and UST03	Liquid	~15,406 gallons	TBD	Waste Water Treatment	N/A

2.2 Planning Section

2.2.1 Planned Response Activities

During the next operational periods, EPA and ERRS will return to the Site to ship the waste for off-site disposal. The waste in the IBCs will be sent off for hazardous waste disposal. The pending analytical results will determine how the waste oil-contaminated water will be handled.

2.2.1 Issues

Disposal facility permitting issues caused a delay in waste disposal for the USTs. ERRS is currently soliciting additional bids for disposal.

2.3 Logistics Section

Logistical support for the response was provided by EPA BOA, ERRS and START contractors.

2.4 Finance Section

2.4.1 Narrative

The response was initially funded through the National Pollution Oil Fund Center. Funding was switch to a CERCLA account when Polychlorinated Biphenyls (PCB) were detected in the spilled oil.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	$722,000.00	$480,499.00	$241,501.00	33.45%
BOA - Cleanup Contractor	$55,000.00	$55,000.00	$0.00	0.00%
TAT/START	$45,000.00	$40,000.00	$5,000.00	11.11%
Contingency	$50,000.00	$0.00	$50,000.00	100.00%
Intramural Costs				
Total Site Costs	$872,000.00	$575,499.00	$296,501.00	34.00%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Other Command Staff

No pertinent information to report at this time.

3. Participating Entities

EPA is coordinating all activities with NCDEQ Division of Waste Management and Division of Water Resources and the City of Shelby.

4. Personnel On Site

One FOSC was on-site (starting 9/18/2018) coordinating response operations. Multiple personnel from State and Local Agencies assisted with the response. Contracting resources from EPA BOA, ERRS and START programs mobilized to the site.

5. Definition of Terms

No pertinent information to report at this time.

6. Additional sources of information

6.1 Internet location of additional information/report

Additional information can be found at response.epa.gov/LROilRecovery. Log-in credentials may be required to view certain content.

6.2 Reporting Schedule

Pollution Reports (POLREP) will be drafted weekly based on activities at the site. This schedule will change and be less frequent as the emergency response progresses. Please note that POLREP must be review and

approved prior to publication, so there may be a delay.

7. Situational Reference Materials

Additional information can be found at response.epa.gov/LROilRecovery. Log-in credentials may be required to view certain content.